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**PATENT**

**Practitioner's Dkt. No.: 2551.079**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of: Charles C. Freeny, Jr.      Group Art: Unknown**

**Application No.: Not Yet Assigned      Examiner: Unknown**

**Filed: Unknown      (Conf. No. Unknown)**

**For: INTEGRATED COMPUTER AND STORE TRANSACTION SYSTEM  
(ICASTS)**

**Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450**

**INFORMATION DISCLOSURE STATEMENT**

**List of Sections Forming Part of This  
Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1.    ☒ Preliminary Statements
2.    ☒ Form PTO-1449 (Modified)
3.    ☒ Statement as to Information Not Found in Patents or Publications
4.    ☐ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5.    ☐ Cumulative Patents or Publications
6.    ☐ Copies of Listed Information Items Accompanying this Statement

- 7.    ☐    Concise Explanation of Non-English Language Listed Information Items
  - 7A.   ☐    EPO Search Report
  - 7B.   ☐    English Language Version
- 8.    ☐    Translation(s) of Non-English Language Documents
- 9.    ☐    Concise Explanation of English Language Listed Information Items (Optional)
- 10.   ☒   Identification of Person(s) Making this Information Disclosure Statement

### **Section 1.            Preliminary Statements**

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

### **Section 2.            Form PTO-1449 (Modified)**

☒    A Completed Form PTO-1449 (Modified) is attached hereto.

### **Section 3. Statement as to Information Not Found in Patents or Publications (Information Not Listed in Form PTO-1449(Modified))**

Today, most stores selling goods or services have both a computer transaction system to record sales activity when employees are present and a store

security system to watch the store when employees are not present. Often the computer system is a Point Of Sale (POS) hardware and software system provided to the owner of a franchise such as a McDonalds, Wendy's, Great Clips, Pro Cuts, Texaco, Exxon, Pep Boys, Auto Zone, Jiffy Lube, etc., by the franchiser and is designed to provide the owner with customer and sales information as input by the employees into the POS computer system.

Store security systems are provided by a number of vendors such as ADT and Smith Alarm and are primarily designed to store activity and after hours and thwart attempted burglaries. Since the advent of the video camera, a video camera connected to other sensors such as motion, or door and window, or cash drawer sensors are the primary elements of store security systems.

More recently, video surveillance systems have been employed to help owners catch employee theft. It is well known in all the various industry sectors (especially service industries) that employee theft is the greatest operating loss facing owners due to the discrepancy between the actual customer store transaction versus the data entered (or not entered) into the store POS computer system. The video surveillance systems in recent years have provided more information to help curb this loss, but it still requires a lot of time and effort by the owner to try and correlate information from a store surveillance system depicting customer store activity, for example, with the store POS computer system operated by the employee. Such correlation must show that an employee serviced a customer without inputting the transaction into the store computer system and kept the revenue or input an incorrect amount in order to manipulate the reported amount.

Large corporations such as Dillard's, Macy's, Neiman Marcus, Wal-Mart, Target and many others, including casinos, have developed extensive security monitoring systems to help catch employee theft, but these are primarily systems requiring management personnel and strict employee money handling policies implemented to quickly catch unsophisticated employee theft through a series of daily checks and balances but not through any fully automated system.

Store and business computer systems are well known in the art and recently companies such as BEA, Peoplesoft, IBM, Siebel, Microsoft, Oracle and many others have developed specialized business programs accessible from the Web but not store computer systems where the owner can operate the store computer program from remote locations and none of them have developed store transaction system. Programs such as PC anywhere or services such as [www.gotomypc.com](http://www.gotomypc.com) can be used to operate a computer remotely but a "disconnected" system that

behind the scenes goes and operates the store computer to input changes made by store owners are not available.

The Franchise companies are taking the lead in developing Internet sites where a store owner can view their operational data such as at [www.salondata.com](http://www.salondata.com) but do not offer the ability to operate the store computer system in a connected or disconnected manner from a website.

A typical state of the art web accessible store or home security surveillance system can be seen at [www.adt.com](http://www.adt.com). However, store surveillance systems fall way short of the complicated customer activity determination required by a store transaction system and, a store transaction system as described herein has not been developed in the industry until now. Furthermore the integration of a store point of sale computer system with a store transaction system such as described in this invention is not even being discussed in the current business trade journals as a solution to the employee revenue theft problem and the system described herein offers a way for technology to greatly lower employee theft in a cost effective manner.

**Problems to be solved:**

A primary problem to be solved is that of first providing a store "transaction system" that can be installed in a store to automatically provide information regarding what revenue the store "should" be making if all of the customers being serviced are entered into the stores point of sale "computer system" properly. Such a system will be sensitive to the type of store business (e.g. type service, type product, store and facility layout, etc.) and complicity of the transaction pricing system (e.g. product store may have several thousand possible transaction prices whereas a service store may only have 5 to 20).

Consequently the transaction system for one type store may vary considerable in the way it computes revenue versus a transaction system from that of another type store. However the basic architecture will be virtually the same with the main difference being in the transaction system revenue computational programs of the various type stores.

A second primary problem to be solved is that of combining a store transaction system with a store point of sale computer system in such a manner that the difference between the revenues from these two systems can be determined automatically and when possible associate the difference with the employees responsible for these discrepancies. When possible the solution to this problem

should be done completely automatically and the results accessible by the owner from any web access device.

It will be assumed through out these descriptions that the store transaction system captures all of the "actual" revenue transactions each day so that any discrepancy is because one or more employees does not enter into the store point of sale computer, revenue they received from a customer.

Another employee theft problem to be solved, and preferably with the same system, is that of allowing the owner to review and alter the store employee hours accumulated by the store computer from remote locations each day so the employee computer work hours can be maintained in accordance with the actual worked hours as seen by the store transaction system or other employee time control system.

#### **Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted**

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_ (date).

*(complete the following, if applicable)*

[ ] This application also relies, under 35 U.S.C. 120, on the earlier filing date of prior application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_ (date).

The following references were submitted to, and/or cited by, the Office in the prior application(s) and therefore, are not required to be provided in this application:

#### **Section 5. Cumulative Patents or Publications**

##### **STATEMENT**

\_\_\_\_\_ is cumulative of the following patents or publications listed on Form PTO-1449:

In accordance with 37 C.F.R. § 1.98(c), a copy of only one is being submitted with this Information Disclosure Statement.

## **Section 6. Copies of Listed Information Items Accompanying this Statement**

Legible copies of all items listed in Form PTO-1449 (Modified) accompany this information disclosure statement.

☐ Exception(s) to above:

☐ Items in prior application from which an earlier filing date is claimed for this application, as identified in Section 4.

☐ Cumulative patents or publications identified in Section 5.

## **Section 7. Concise Explanation of Non-English Language Listed Information Items**

### **Section 7A. Concise Explanation of Non-English Language Listed Information Items - EPO Search Report**

The relevance with respect to the following citations listed on Form PTO-1449:

is submitted on the basis of accompanying:

*(check the appropriate item)*

☐ EPO search report that is in the English language,

☐ EPO search report that is not in the English language and that is accompanied also by an English language version of the EPO search report,

that issued on the corresponding European patent application.

**Section 7B. Concise Explanation of Non-English Language Listed Information Items - English Language Version of EPO Search Report**

**Section 8. Translation(s) of Non-English Language Documents**

- ☐ Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information considered to be material:

*(complete the following, if applicable)*

- ☐ No English language translations of the foreign language parents, publications or information or parts thereof are readily available, except for those listed above.
- ☐ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.

**Section 9. Concise Explanation of English Language Listed Information Items (OPTIONAL)**

**Section 10. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT**

The person making this statement is the attorney who signs below,

Respectfully submitted,

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Express Mail: EV318424737  
 Date Deposited: September 30, 2003

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known	
Application Number	Not Yet Assigned
Filing Date	Herewith
First Named Inventor	Charles C. Freeny, Jr.
Group Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	2551.079

### U. S. PATENT DOCUMENTS

EXAM INIT.	Cite No. 1	U.S. PATENT NUMBER Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		6,091,777		Guetz et al.	07-18-2000	

### FOREIGN PATENT DOCUMENTS

EXAM INIT.	Cite No. 1	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>4</sup>
		Office 3	Number 4	Kind Code <sup>5</sup> (if known)			

**U.S. and Foreign:** <sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard St.3). <sup>4</sup>Form Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

### NON PATENT DOCUMENTS

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published

EXAM INIT.		

**Non Patent Documents:** <sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature:

Date Considered:

EXAMINER: Initial if citation considered, whether or not citation is in conformance and not considered. Include copy of this form with next communication to applicant. \*\*Place of Publication refers to name of publication in which the information was published.